

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE TOWN COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY, NOVEMBER 24, 2003, AT 7:00 P.M.**

Members present: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett

Members absent: None

Others present: Town Manager C. Wayne Sutherland, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon P. Hackler, Town Attorney Robert P. Kaase, Sergeant Joel Hash, Stephanie Porter-Nichols with Wytheville Enterprise, Robert Kegley, Ryan Long

RE: CALL TO ORDER, QUORUM, INVOCATION, PLEDGE

Mayor Crewe called the meeting to order and established that a quorum of Council members was present. The invocation was given by Councilman Crockett followed by the Pledge of Allegiance led by Councilman Weisiger.

RE: CONSENT AGENDA

Mayor Crewe presented the consent agenda consisting of the minutes of the regular meeting of November 10, 2003, the request of the American Cancer Society for issuance of a raffle permit for 2004, the request of the George Wythe After Prom Committee for approval of a Special Exception Facility Use Permit and waiver of fee for use of the Community Center for their after prom party, and the request of the Wytheville-Wythe-Bland Chamber of Commerce for issuance of a Bingo Permit for 2004. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to approve the consent agenda consisting of the minutes of the regular meeting of November 10, 2003; the request of the American Cancer Society for issuance of a raffle permit for 2004; the request of the George Wythe After Prom Committee for approval of a Special Exception Facility Use Permit and waiver of fee for use of the Community Center for their after prom party, and the request of the Wytheville-Wythe-Bland Chamber of Commerce for issuance of a Bingo Permit for 2004. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None.

RE: CITIZENS' PERIOD

Mayor Crewe stated the next agenda item is Citizens' Period. He inquired if there are persons present who wish to address Council during Citizens' Period. There being none, he proceeded with the agenda.

RE: OLD BUSINESS

Under Old Business, Town Manager Sutherland reported the following:

1. Mr. Jim Gleaves, who has served on the Planning Commission for many years, has tendered his resignation from the Planning Commission effective December 31, 2003. If it is agreeable with the Council, Town staff will use this meeting as the forum to give notice that the Town will be accepting applications for this position on the Planning Commission. It was discussed at one of the Committee meetings this week about the potential to recognize Mr. Gleaves in an upcoming Council meeting with a resolution or proclamation commending him for his service to the Town. Mayor Crewe advised that both Council Committees have discussed this, it is agreeable with them, and they think it is appropriate to adopt a resolution. Town Manager Sutherland inquired as to which meeting the Council would like to invite Mr. Gleaves to attend. Mayor Crewe stated that Mr. Gleaves will be going out of town around the first of the year, and the Town staff may want to check Mr. Gleaves' schedule. Councilman Weisiger inquired if the resolution could be presented to Mr. Gleaves at the December 8 meeting and if the resolution could be prepared by that time. Mayor Crewe stated that Town staff should be able to prepare the resolution by December 8. It was the consensus of the Council to invite Mr. Gleaves to attend the December 8 meeting to receive the resolution. Mayor Crewe advised that if Mr. Gleaves cannot attend the December 8 meeting, the Council will reschedule the presentation of the resolution until January in order to accommodate Mr. Gleaves' schedule.

2. The New River Regional Water Authority had its first meeting this past week, and it was an organizational meeting. County Administrator Cellell Dalton was elected as the Chairman, Ronald Newman, the County Administrator for Carroll County, was elected as Vice-Chairman, and Town Manager Sutherland noted that he will serve as Secretary/Treasurer. Mr. Webster Day was appointed as the attorney for the Authority, and there are a number of engineering reports that are being formulated with regard to this entire project. All of this will be discussed at the Authority's next meeting, which is scheduled for December 18 at 1:30 p.m. in the Town of Wytheville Municipal Building.

RE: BUDGET AND FINANCE COMMITTEE REPORT

Councilman Jones, reporting for the Budget and Finance Committee, stated the Committee has attached, for the Council's review, a draft of certain amendments to the cemetery regulations. He explained that essentially, there are three components to the proposed amendments. Councilman Jones advised that the first revision would provide that persons who had spaces in one of the Town's cemeteries and who desired to dispose of them should provide the Town the first opportunity to repurchase these spaces. He stated this provision would pay the owner of the spaces the original price with escalators for time. Councilman Jones noted in the event the Town chose not to purchase the space, the owner of those spaces could then sell them to a third party. He advised that the second revision would require that when spaces are sold that a processing fee can be imposed to handle the costs incurred with revising the Town's records. Councilman Jones indicated that finally, the draft regulations provide that cemetery monuments should be approved by the cemetery manager prior to the monument being prepared. He stated that both Committees will have the opportunity to discuss these revisions at the upcoming Committee meetings, and, thereafter, this matter will be before the Council for its consideration.

Councilman Jones also reported that as the Council may recall, the Town recently received notification that the Town had been awarded \$225,000 in Federal Emergency Management Agency funds to be used for the purchase of a new pumper fire truck. He explained that the Fire Department developed a set of specifications for the new truck, and has now received bids on this new piece of equipment. Councilman Jones advised that there were a total of four bids received with prices ranging from \$233,050 to \$279,950. He stated it would be the recommendation of the Budget and Finance Committee that the Council authorize the purchase of the fire truck from Elite. A motion was made by Councilman Jones and seconded by Vice-Mayor King to authorize the purchase of the fire truck from Elite for \$233,050 and to execute the contract. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None. Town Manager Sutherland stated that the firemen are excited about receiving this new fire truck. Vice-Mayor King noted that is correct and advised that she is excited for them. Mayor Crewe commented that the Town needed a new fire truck, and noted as he understands, there are some strict time lines with this project that the Town will have to go through. Town Manager Sutherland stated that the Town has started this process, and he believes the Town is going to meet the time lines. A copy of the Budget and Finance Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: PUBLIC WORKS COMMITTEE REPORT

Councilman Crockett, reporting for the Public Works Committee, stated that Director of Public Safety Newberry requested the Committee to review the posting of Industry Road between Third Street and Chapman Road as a "no parking" zone. He stated that as the Council knows, this portion of roadway is only 24 feet in width, and there are virtually no shoulders anywhere along this section. Councilman Crockett stated that recently, the Town has had difficulty with trucks from one of the industries parking in the roadway and blocking one lane of travel. He explained that this is a particularly bad situation at hours during the day when there are large volumes of traffic associated with children coming and going to Scott Memorial School. Councilman Crockett advised that the Committee has reviewed Mr. Newberry's recommendation and agrees that this section of roadway should be posted for "no parking." He stated that the Committee would note that all the businesses and industries along Industry Road have sufficient off street parking that there is no necessity to utilize the roadway for parking. Councilman Crockett noted that unless the Council disagrees, the Committee will ask the Public Works Department to erect the appropriate signs. Mayor Crewe indicated that his understanding when the Committee met last week was that they approved of this. He noted that unless someone expresses a disagreement, he believes the consensus of the Council is to ask the Public Works Department to erect the "no parking" signs on Industry Road between Third Street and Chapman Road.

Councilman Crockett also reported that at the Committee meeting on Friday, they heard a report from Captain Rick Arnold on statistical information he had gathered with regard to the number of wrecks that had occurred at intersections throughout town. He stated that as the Council may recall, at its last meeting, the Council was discussing the need for the installation of a four-way stop sign at the intersection of Fisher Road and Pine Street. Councilman Crockett advised that according to the record of data provided by the Police Department, there has only been one major accident there over the past two years. He stated that while this is bad, there are several intersections in town where there have been eighteen accidents per year. He noted that the Committee thinks the information provided by the Police Department is worthy of additional review and does not think the Council should proceed with any other traffic control devices until the Committee has had the opportunity to more thoroughly review the report from the Police Department. Mayor Crewe requested Town staff to review this report because it occurred to him when he read the report where it was talking about several intersections where there have been 18 accidents per year, he thinks there has only been one intersection that had 17 accidents. Town Manager Sutherland advised that this number changed the day the report was prepared. Mayor Crewe stated this is the only intersection that has had 18 accidents, and the remainder of the intersections have had less than 18 accidents. Town Manager Sutherland advised that is correct. A copy of the Public Works Committee report is attached and made part of these minutes. ([Attachment](#)).

RE: APPOINTMENTS – WYTHEVILLE INDUSTRIAL DEVELOPMENT AUTHORITY

Mayor Crewe stated the next agenda item is the notification of appointments to the Wytheville Industrial Development Authority to fill the expiring terms of Messrs. Joe Salerno and Ron Boone whose terms expire December 12, 2003. He pointed out that these appointments are for the Wytheville Industrial Development Authority and not the Joint Industrial Development Authority. He advised that the Council will have a meeting before these terms expire. Mayor Crewe indicated that Mr. Salerno and Mr. Boone are eligible for reappointment. He stated the Council can make the appointments at this meeting or the next meeting. A motion was made by Vice-Mayor King and seconded by Councilman Crockett to reappoint Mr. Joe Salerno and Mr. Ron Boone to the Wytheville Industrial Development Authority. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None.

RE: APPOINTMENTS – WYTHEVILLE RECREATION COMMISSION

Mayor Crewe stated the next agenda item is the consideration of the recommendation of the Recreation Commission regarding the appointment of members to the Recreation Commission to fill the expiring terms of Messrs. Chris Pile and Paul Stanley whose terms expire December 31, 2003. He noted that Mr. Pile and Mr. Stanley are eligible for reappointment. Mayor Crewe noted the Council has the letter in their packet from the Recreation Commission recommending the reappointment of Mr. Pile and Mr. Stanley. A motion was made by Vice-Mayor King and seconded by Mr. Jones to reappoint Mr. Chris Pile and Mr. Paul Stanley to the Wytheville Recreation Commission. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None

RE: ORDINANCE NO. 1163 – BUILDING REGULATIONS

Mayor Crewe presented Ordinance No. 1163, an ordinance amending and reenacting Chapter 4, Building Regulations, Article I, in General, Section 4-2, Adoption of Codes, of the Code of the Town of Wytheville, Virginia, on first reading. He explained that this ordinance tracks the State law for the Virginia Uniform Statewide Building Code. Mayor Crewe stated the recommendation is that the rules be suspended and the ordinance be adopted on first and final reading so it would be effective immediately. A motion was made by Councilman Jones and seconded by Councilman Weisiger to suspend the rules and adopt Ordinance No. 1163, an ordinance amending and reenacting Chapter 4, Building Regulations, Article I, in General, Section 4-2, Adoption of Codes, of the Code of the Town of Wytheville, Virginia, on first and final reading. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr.,
William B. Weisiger, Charles G. Crockett

AGAINST: None

ABSTENTIONS: None

Ordinance No. 1163 was adopted on first and final reading. Mayor Crewe noted that this ordinance will be effective immediately.

RE: PLANNING COMMISSION RECOMMENDATION

Mayor Crewe stated the next agenda item is to consider the recommendation of the Wytheville Planning Commission regarding amending the Zoning Ordinance to include revisions to Section XIX, Planned Unit Development, Subsections 19-5 and 19-15.1. Mayor Crewe stated it will be necessary for the Town Council to schedule a public hearing to consider the recommendation from the Planning Commission regarding the amendment to the Zoning Ordinance requiring a planned unit developer to post bond or other security satisfactory to the Zoning Administrator for the completion of the improvements. He noted it will be necessary for the Town Council to conduct a public hearing before they can act on this recommendation. Mayor Crewe indicated that the advertising can be accomplished in time for the January 12, 2004, meeting. He inquired if anyone has any problems with advertising the public hearing on January 12, 2004. There being no opposition, it was the consensus of the Town Council to set a public hearing for the January 12, 2004, meeting to consider amending the Zoning Ordinance to include revisions to Section XIX, Planned Unit Development, Subsections 19-5 and 19-15.1.

RE: DISPENSING WITH DECEMBER 22, 2003, MEETING

Mayor Crewe stated the next agenda item is to consider dispensing with the December 22, 2003, meeting due to the Christmas holidays. He explained it has been the practice in the past to dispense with the meeting scheduled on Christmas week. Mayor Crewe advised if the Council needs to meet, they can have a called meeting. A motion was made by Vice-Mayor King and seconded by Councilman Weisiger to dispense with the December 22, 2003, meeting due to the Christmas holidays. Mayor Crewe inquired if there is any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Trenton G. Crewe, Jr., Jacqueline K. King, John W. Jones, Jr., William B. Weisiger, Charles G. Crockett. Against: None.

RE: ADJOURNMENT

Mayor Crewe inquired if there is any further business to be discussed. There being none, a motion was duly made, seconded, and carried to adjourn the meeting (7:30 p.m.).

Trenton G. Crewe, Jr., Mayor

Sharon P. Hackler, CMC, Clerk of Council

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BUDGET AND FINANCE COMMITTEE REPORT

DECEMBER 8, 2003

1. At the last meeting of Council, we reported that we had certain amendments to the Cemetery Regulations under review. Since that time, both we and the Public Works Committee have had the opportunity to review the amendments in more detail and find that certain changes would enhance the proposed new regulations. We will give a synopsis of the various changes that are proposed. In Section 5-2, Paragraph F, language will be added that will require any cemetery property that is to be sold or transferred by an individual owner to be offered to the Town to purchase. We have discussed this topic at some length and find that the existing policy of paying 65 percent of the current price is still an equitable situation for both the seller and the Town. Originally, we had anticipated making payment based on the original price paid for the grave space, but Town Treasurer Mike Stephens advises that it is impossible to determine the prices that were paid for grave spaces over the years. This section goes on to provide that if the Town does not want to purchase the space, then the owner of the grave space can sell the space to a third party at a mutually agreed upon price. This section also contains a provision that prohibits undertakers, funeral directors, and brokers from purchasing cemetery lots for the purpose of resale. Finally, this section provides that a fee will be imposed for transferring a title to a cemetery lot to a third party. The fee to be charged will be established from time to time as the Council deems necessary. We will suggest a fee schedule for the Council to consider at our next meeting.

The other revision proposed is an amendment to Section 5-6 concerning monuments and markers. Currently, it is strongly encouraged that the design and configuration of monuments be reviewed prior to being ordered from a vendor. Now, the section will be amended to provide that it is required that a monument design be approved prior to it being ordered. This revision will not delay the installation of monuments in any fashion, but it will prevent nonconforming markers from being ordered and paid for and then not being allowed in the cemetery.

Later this evening, the Council will consider these revisions in an ordinance. At the time of consideration, it would be the recommendation of the Budget and Finance Committee that the rules be suspended and that the ordinance be adopted on first and final reading and become effective immediately.

2. Recently, the Planning Commission inquired as to the possibility of erecting signs at locations where rezoning requests had been received. State law currently requires that we give notice by certified letter to all abutting property owners of any request for rezoning. Often, however, there are other interested parties to a rezoning request that do not receive certified letters. In addition to the certified letters, we also publish in the Wytheville Enterprise notices of all meetings and hearings concerned with a public hearing. We agree that it may be of benefit to the public to post a sign noting that a zoning question is under review. As such, it is the recommendation of the Budget and Finance Committee that we direct the Town staff to develop and implement a program for the erection of such signs noting that a zoning question is

being considered. We realize that this will be a learning process and think that we should review this topic again in one year to determine its effectiveness.

Jacqueline K. King

John W. Jones, Jr.

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PUBLIC WORKS COMMITTEE REPORT

DECEMBER 8, 2003

1. There are two street improvement projects that our Committee has under review, and we would like to share these concepts with the Council. The first project is located on the south side of East Main Street from Eleventh Street eastwardly to a point near the Smoker's Friend store. Curb and gutter in the location we just described is misaligned by about six feet with the other curb and gutter eastwardly on Main Street. By relocating the existing curb back by six feet, we would have sufficient space to create the center turn lane all along Main Street from Cassell Road to Eleventh Street. This additional lane could be utilized as a turn lane for businesses in this area and could also provide an exclusive left-turn lane for vehicles proceeding westerly and approaching Eleventh Street. Under this scenario, certain revisions would be required to the existing traffic control devices, particularly the traffic signal. We have asked the Public Works Department to contact a vendor and have an estimate prepared on the cost for performing such work. We still have some study to do on this matter, and we should have a recommendation within the next few weeks. Secondly, we would note that we are also going to ask the Public Works Department to have a vendor give us an estimate on relocating the existing traffic signals at the Acme shopping center to the intersection at the Community College and Withers Lane. This intersection is very busy, and traffic will, no doubt, increase with our new Community Center.

2. Recently, there has been a great deal of publicity, and we have had a number of inquiries concerning new state regulations about the placement of Christmas trees in certain environments. We have obtained, from the State Fire Marshal's office, all of the recent press releases and interpretations and have those available for review in the Municipal offices. We do want to emphasize that these codes were adopted by the State of Virginia and imposed on localities, and were not the idea of any local governing official. In brief, anyone who has a question should contact the Director of Public Safety, Albert Newberry.

William B. Weisiger

Charles G. Crockett

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